CITY COUNCIL RESOLUTION NO. 89-97

CONDITIONS OF APPROVAL - TENTATIVE TRACT MAP NO. 23995 PROPOSED SEPTEMBER 6, 1989

A. GENERAL CONDITIONS OF APPROVAL

- 1. Tentative Tract Map No. 23995 shall comply with the requirements and standards of the State Subdivision Map Act and the City of La Quinta Land Division Ordinance, unless otherwise modified by the following conditions.
- 2. This Tentative Tract Map approval shall expire two years after the original date of approval by the La Quinta City Council unless approved for extension pursuant to the City of La Quinta Land Division Ordinance.
- 3. The Applicant acknowledges that the City is considering a City-wide Landscape and Lighting District and, by recording a subdivision map, agrees to be included in the District and to offer for dedication such easements as may be required for the maintenance and operation of related facilities. Any assessments will be done on a benefit basis, as required by law.
- 4. The City shall retain a qualified archaeologist with the developer paying all costs. The archaeologist retained shall prepare a mitigation and monitoring plan for artifact location and recovery. Prior archaeological studies for site CA-RIV-2200 such as MF-1027 and UCRARU#970, as well as other unrecorded information, shall be analyzed prior to the preparation of the plan.

The plan shall be submitted to the Coachella Valley Archaeological Society (CVAS) for a two-week review and comment period. At a minimum, the plan shall:

1) identify the means for digging test pits; 2) allow sharing the information with the CVAS; and 3) provide for further testing if the preliminary results show significant materials are present. The final plan shall be submitted to the Planning and Development Department for final review and approval.

Prior to the issuance of a Grading Permit, the Developer shall have retained a qualified cultural resources management firm and completed the testing and data recovery as noted in the plan. The management firm shall monitor the grading activity as required by the plan or testing results.

A list of the qualified archaeological monitor(s), cultural resources management firm employees, and any assistant(s)/ representative(s), shall be submitted to the Planning and Development Department. The list shall provide the current address and phone number for each monitor. The designated monitors may be changed from time to time, but no such change shall be effective unless served by registered or certified mail on the Planning and Development Department.

The designated monitors or their authorized representatives shall have the authority to temporarily divert, redirect halt grading activity to allow recovery of resources. or event of discovery or recognition of any human remains, there shall be no further grading, excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until appropriate mitigation measures are completed.

Upon completion of the data recovery, the developer shall cause three copies of the final report containing the data analysis to be prepared and published and submitted to the Planning and Development Department.

5. The Developer of this subdivision of land shall cause no easements to be granted or recorded over any portion of this property between the date of approval by the City Council and the date of recording of the final map without the approval of the City Engineer.

Traffic and Circulation

6. The Applicant shall construct or bond for half street improvements to the requirements of the City Engineer and the La Quinta Municipal Code, as follows:

- a. Washington Street shall be constructed to City standards for a 120-foot right-of-way width (Major Arterial), with a curb-to-curb width of 96 feet, with a 12-foot bike/sidewalk, and two-percent cross slope to centerline, plus joins.
- b. Miles Avenue shall be constructed to City standards for a 110-foot right-of-way width (Primary Arterial), with an 18-foot raised median island, six-foot sidewalk, and two-percent cross slope to centerline, plus joins.
- The street identified as Lot S on Exhibit A (Tentative Tract Map) shall be designed for a 72-foot right-of-way.
- d. The Applicant shall construct all private street improvements to the requirements of the City Engineer and the La Quinta Municipal Code.
- e. The interior public street system shall be designed pursuant to the approved Exhibit A (tract map) for TT 23995. The cul-de-sac streets shall be designed for a 50-foot right-of-way with 36-foot width curb-to-curb. A five-foot utility easement shall be granted on each side of the 50-foot right-of-way. All other streets shall have a 60-foot right-of-way, a six-foot sidewalk, and two-percent slope.

Any variations to the approved street system design sections shall be subject to review and approval by the Public Works Department.

- 7. An encroachment permit for work in any abutting local jurisdiction shall be secured prior to constructing or joining improvements (i.e., County of Riverside).
- 8. The Applicant shall participate in the construction or bond for the construction of Adams Street low water crossing of the Whitewater Channel, subject to the requirements of the City Engineer.

- B. CONDITIONS OF APPROVAL TO BE FULFILLED PRIOR TO FINAL MAP
 - Prior to final map approval by the City Council, 9. the Applicant shall submit a proposal to Planning Commission, for recommendation to the City Council, for meeting parkland requirements as set forth in Section 13.24.030, La dedication Municipal Code. The dedication, fee-in-lieu, proposal or combination thereof shall be based upon a dedication requirement of 2.63 acres in the single-family residential area, as determined in accordance with said Section.
 - 10. The Applicant shall provide sufficient parkland in the multi-family residential area in accordance with Government Code Section 66477 and Section 13.24.030 of the La Quinta Municipal Code.
 - A noise study shall be prepared by a qualified 11. acoustical engineer, to be submitted to Planning and Development Department for review and approval prior to final map approval. The study shall concentrate on noise impacts on the tract from perimeter arterial streets, and alternative mitigation techniques. Recommendations recommend of the study shall be incorporated into the tract The study shall consider use of building design. setbacks, engineering design, building orientation, noise barriers (berming and landscaping, etc.), and other techniques so as to avoid the appearance given by walled developments. A wall isolated be provided around the shall residential area in accordance with the above study. multi-family
 - 12. Tract phasing plans, including phasing of public improvements, shall be submitted for review and approval by the Public Works Department and the Planning and Development Department.
 - 13. The subdivider shall make provisions for maintenance of all landscape buffer and storm water easements via one of the following methods prior to final map approval:
 - a. Subdivider shall consent to the formation of a maintenance district under Chapter 26 of the Improvement Act of 1911 (Streets and Highways Code, Section 5820 et seq.) or the Lighting and Landscaping Act of 1972 (Streets and Highways Code 22600 et seq.) to implement maintenance of all improved landscape buffer and storm water retention areas. It is understood and agreed that the

Developer/Applicant shall pay all costs of maintenance for said improved areas until such time as tax revenues are received from assessment of the real property.

b. The Applicant shall submit to the Planning and Development Department a Management and Maintenance Agreement, to be entered into with the unit/lot owners of this land division, in order to insure common areas and facilities will be maintained. A unqualified right to assess the owners of the individual units for reasonable maintenance costs. The association shall have the right to lien the property of any owners who default in the payment of their assessments.

The common facilities to be maintained are as follows:

- (1) Storm water easements.
- (2) Twenty-foot perimeter parkway lot along Washington Street
- (3) Twenty-foot perimeter parkway lot along Miles Avenue.
- 14. Prior to recordation of a final map, the Applicant shall pay the required mitigation fees for the Coachella Valley Fringe-Toed Lizard Habitat Conversion Program, as adopted by the City, in the amount of \$600 per acre of disturbed land.
- 15. The Applicant shall coordinate with Sunline Transit and the City to provide a future bus turnout and shelter location on Washington Street. A bus turnout shall be provided for in the approved street improvement plans, and shall either be constructed with those improvements for bonded for. Appropriate bonding shall be provided in lieu of a completed bus stop shelter, until such time as service is provided by Sunline.

Grading and Drainage

16. The Applicant shall submit a grading plan that is prepared by a registered civil engineer who will be required to supervise the grading and drainage improvement construction and to certify that the constructed conditions at the rough grade stage are as per the approved plans and grading permit. This is required prior to final map approval.

- Certification at the final grade stage and verification of pad elevations is also required prior to final approval of grading construction.
- 17. The Applicant shall submit a copy of the proposed grading, landscaping, and irrigation plans to Coachella Valley Water District for review and comment with respect to CVWD's water management program.
- 18. A thorough preliminary engineering geological and soils engineering investigation shall be done and the report submitted for review along with the grading plan. The report's recommendations shall be incorporated into the grading plan design prior to grading plan approval. The soils engineer and/or the engineering geologist must certify to the adequacy of the grading plan.
- 19. Any earthwork on contiguous properties requires a written authorization from the owner(s) (slope easement) in a form acceptable to the City Engineer.
- Drainage disposal facilities shall be provided as required by the City Engineer. The Applicant shall comply with the provisions of the City Master Plan of Drainage, including payment of any drainage fees required therewith. All drainage easements must be shown on the Final Tract Map.
- 21. Prior to the issuance of a grading permit, the Applicant shall prepare and submit a written report to the Planning Director demonstrating compliance with those conditions of approval and mitigation measures of TT 23995 and EA 88-099, which must be satisfied prior the the issuance of a permit. Prior to the issuance of a building permit, the Applicant shall prepare and submit a report to the Planning Director demonstrating compliance with those conditions of approval and mitigation measures of this TT 23995 and EA 88-099, which must be satisfied prior to the issuance of a building permit. Prior to final building inspection approval, the Applicant shall prepare and submit a written report to the Planning demonstrating compliance with all conditions of approval and mitigation remaining measures of this TT 23995 and EA 88-099. Planning Director may require inspection or other monitoring to assure such compliance.

Traffic and Circulation

- 22. Applicant shall comply with the following requirements of the Public Works Department:
 - a. The Applicant shall dedicate all necessary public street and utility easements as required, including all corner cutbacks.
 - b. The Applicant shall submit street improvement plans that are prepared by a registered civil engineer. Street improvements, including traffic signs and markings and raised median islands (if required by the City General Plan), shall conform to City standards as determined by the City Engineer and adopted by the La Quinta Municipal Code (three-inch AC over four-inch Class 2 Base minimum for residential streets).
 - c. Street name signs shall be furnished and installed by the Developer in accordance with City standards.
- 23. Applicant shall dedicate, with recordation of the tract map, access rights to Washington Street, Miles Avenue, and Adams Street for all individual parcels which front or back-up to those rights-of-way.

Tract Design

- 24. A minimum 20-foot landscaped setback shall be required along Washington Street and Miles Avenue. Design of the setbacks shall be approved by the Planning and Development Department. Setbacks shall be measured from ultimate right-of-way lines.
 - a. The minimum setbacks may be modified to an "average" if a meandering or curvilinear wall design is used.
 - b. Setback areas shall be established as a separate common lot and be maintained as set forth in Condition No. 13, unless an alternate method is approved by the Planning and Development Department.
- 25. The tract layout shall comply with all the C-P, R-3 as specified in Specific Plan No. 88-012, and R-1 zoning requirements, including for the R-1 zone minimum lot size and minimum average depth of a lot. The minimum R-1 lot size to be recorded in a final map shall be 7,200 square feet.

Walls, Fencing, Screening, and Landscaping

- Prior to issuance of any grading permits, the Applicant shall submit to the Planning and Development Department an interim landscape program for the entire tract, which shall be for the purpose of wind erosion and dust control. The land owner shall institute blowsand and dust control measures during grading and site development. These shall include, but not be limited to:
 - a. The use of irrigation during any construction activities;
 - b. Planting of cover crop or vegetation upon previously graded but undeveloped portions of the site; and
 - C. Provision of wind breaks or wind rows, fencing, and/or landscaping to reduce effects upon adjacent properties and property owners. The land owner shall comply with the requirements of the Director of Public Works Planning and Development. construction and graded watered at least twice daily while being used areas shall be to prevent the emission of dust and blowsand.
- 27. Graded but undeveloped land shall be maintained in a condition so as to prevent a dust and blowsand nuisance and shall be either planted with interim landscaping or provided with other wind and water erosion control measures as approved by the Planning and Development and Public Works
- 28. Prior to final map approval, the Applicant shall submit to the Planning Division for review and approval a plan (or plans) showing the following:
 - a. Landscaping, including plant types, sizes, spacing, locations, and irrigation system for all landscape buffer areas. Desert or native plant species and drought resistant planting materials shall be incorporated into the landscape plan.
 - b. Location and design detail of any proposed and/or required walls.
 - c. Exterior lighting plan, emphasizing minimization of light and glare impacts to surrounding properties.

- 29. Prior to final map approval, the subdivider shall submit criteria to be used for landscaping of all single-family individual lot front yards. At a minimum, the criteria shall provide for two trees and an irrigation system.
- C. CONDITIONS OF APPROVAL TO BE FULFILLED PRIOR TO THE ISSUANCE OF BUILDING PERMITS
 - 30. Prior to the issuance of a building permit for construction of any building or use contemplated by this approval, the Applicant shall obtain permits and/or clearances from the following public agencies:
 - o City Fire Marshal
 - O City of La Quinta Public Works Department
 - O Planning and Development Department, Planning Division
 - Coachella Valley Water District
 - o Desert Sands Unified School District
 - o Imperial Irrigation District

Evidence of said permits or clearances from the above-mentioned agencies shall be presented to the Building Division at the time of the application for a building permit for the use contemplated herewith.

- 31. Provisions shall be made to comply with the terms and requirements of the City's adopted Infrastructure Fee Program in effect at the time of issuance of building permits.
- 32. The Applicant shall comply with the following:
 - a. No buildings in the multi-family area within 150 feet of the ultimate right-of-way of Washington Street and Miles Avenue shall be higher than one story.

- b. Seventy-five percent of R-1 zone dwelling units within 150 feet of the ultimate right-of-way of Miles Avenue shall be limited to one story, not to exceed 20 feet height. The Applicant shall submit to the Planning and Development Department approval a drawing showing the location of any single-family units higher than one story located along Miles Avenue frontage.
- 33. The appropriate Planning approval shall be secured prior to establishing any of the following uses:
 - Temporary construction facilities.
 - b. Sales facilities, including their appurtenant signage.
 - c. On-site advertising/construction signs.
- 34. In the R-1 zone, if a specific dwelling product is envisioned or if groups of lots are sold to builders prior to the issuance of building permits, the Applicant/ Builder shall submit complete detail architectural elevations for all units. The Planning Commission will review and approve these as a Business Item. The basic architectural standards shall be included as part of the C.C. & Rs.
- 35. The residential plot plan for R-3(multi-family) zone shall show 6.45 acres (based on 736 proposed units) of private open space within the development which is usable for active recreation space in accordance with Section 13.24.030 of the La Quinta Municipal Code Government Code Section 66477.

Traffic and Circulation

36. The Applicant shall pay a 25 percent share of all fees necessary for signalization costs at the corner of Washington Street and Miles Avenue, and 50 percent of signalization costs at the multi-family/commercial area access point onto Miles Avenue and 25 percent of the signalization costs at the intersection of Miles Avenue and Adams Street.

Public Services and Utilities

- 37. The Applicant shall comply with the requirements of the City Fire Marshal.
- 38. The Applicant shall comply with all requirements of the Coachella Valley Water District, including those related to the storm water channel. Any necessary parcels for District facility expansion shall be shown on the final map and conveyed to the Coachella Valley Water District, in accordance with the Subdivision Map Act.